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THE NEED OF A SCIENTIFIC STUDY OF CRIME, CRIMINAL LAW, AND PROCEDURE—THE AMERICAN INSTITUTE OF CRIMINAL LAW AND CRIMINOLOGY.

THE multiplying instances of the delay or seeming miscarriage of justice, together with the indications that crime is not diminishing in this country, as it is in most progressive European countries, are responsible for the widespread feeling that American Criminal Law and Administration are ineffective as a corrective system, and thus fail adequately to protect society; that as President Taft puts it, "The administration of criminal law in this country is a disgrace to our civilization." Defective organization of courts, cumbrous and costly procedure and excessive emphasis on technicalities afford an undue advantage to the law-breaker of means and deepen the erroneous impression that there is one law for the rich and another for the poor. Lax enforcement of laws and too frequent abortive attempts to punish wrong-doers breed a growing contempt for law and order. Many go so far as to assert that prompt, even-handed justice is not to be expected "under the present social system." The seriousness of a breakdown in the confidence of the people in the impartiality and efficiency of their courts is coming to be recognized, and there is a growing disposition among thoughtful men, both professional and lay, to heed these criticisms and to weigh the remedies proposed.

Moreover, the sciences of Criminal Anthropology and Sociology are calling for a recasting of ideas the world over, and are making it evident that legislation and legal progress in the future must be founded upon a scientific study and understanding of the matters to which the legal profession and the public are only just beginning to pay attention. A thorough reconsideration of criminal law and procedure in the light of the several sciences that contribute to criminology must soon take place.

To consider the criticisms directed against our administration of punitive justice and to inquire what light the newer knowledge throws on the methods of combating crime, a national conference on criminology and criminal law was convened under the auspices of the Law School of Northwestern University, in Chicago, June 1909. This conference was attended by eminent lawyers, judges, physicians, ministers, educators, social workers and laymen in all walks of life. The conference devoted its three-day session to the

discussion of numerous problems involved in dealing with crime. At the close of the meeting there was founded a permanent organization known as the American Institute of Criminal Law and Criminology. Its purpose is to further the scientific study of crime, criminal law and procedure, to formulate and promote measures solving the problems connected therewith, and to coordinate the efforts of individuals, and of organizations interested in the administration of certain and speedy justice. Its work is carried on by means of standing and special committees engaged in investigating special subjects, and by annual conferences.

The special and standing committees for 1911-12 were as follows:

Committee on System of recording Data Concerning Criminality.

This Committee is charged with the "Investigation of an effective system for recording the physical and moral status and the hereditary and environmental conditions of delinquents, and in particular of the persistent offender; the same to contemplate, in complex urban conditions, the use of consulting experts in the contributory sciences."

Committee on Insanity and Criminal Responsibility.

This was a committee created at the Washington 1910 Conference charged with the duty of working out some scientific solution of the problems connected with this subject and presenting them for the consideration of the Institute.

Committee on Judicial Probation and Suspended Sentence.

This Committee is charged with the "Investigation of the most desirable methods of establishing and extending the allied measures of adult offender's probation and of suspended sentence, including the consideration of the results of such measures as heretofore used."

Committee on Organization of Courts.

This Committee is charged with the "Investigation of the possibilities of the unification of the State and local courts so as to do away with the burdensome cost of transcripts, bills of exceptions, writs of error, and so forth, allowing the appellate tribunal to pass upon and use the same papers and the original evidence and comments used at the trial and to take further evidence on formal matters or matters not controvertible for the purpose of upholding judgments."

Committee on Criminal Procedure.

This Committee is charged with the "Investigation of the feasible methods of (1) simplifying pleadings in criminal cases, (2) eliminat-

ing unnecessary technicalities in the procedure of appeals and reversals of judgment in criminal cases."

Committee on Indeterminate Sentence and Release on Parole.

This Committee is charged with the "Investigation of the most advisable methods of establishing and extending the measures of parole and of indeterminate sentence, including a consideration of (1) the results of such measures as hitherto used, (2) the organization of boards of pardon and of parole and (3) the correlation of such boards and officers with courts and court methods."

Committee on Crime and Immigration.

This Committee was created under a resolution of the Washington 1910 Conference "That there be appointed a committee on crime and immigration whose duty it shall be to investigate and report upon the subject of the alien and the courts with special reference to treaty rights; status under the various state laws; procedure, including interpreters, appeals, etc."

Committee on Coöperation with other Organizations.

This Committee was formed in accordance with the resolution at the Chicago 1909 Conference as follows:

"Resolved, That the President be empowered to appoint delegates to arrange for coöperation with the following organizations for the purpose of avoiding duplication of work and of combining effort, and to attend on behalf of this organization, but without expense to it, their sessions, (as well as to secure attendance of delegates from such organizations to Conferences of the American Institute) International Prison Congress, l'Union International de Droit Penal, American Bar Association, American Prison Association, International Congress of Criminal Anthropology, National Conference of Charities and Corrections, American Political Science Association, National Conference on Uniform State Laws, and other kindred organizations."

Committee on Translation of European Treatises on Criminal Science.

This Committee has undertaken, in accordance with a resolution creating it at the Chicago 1909 Conference the translation and publication of the most important treaties on criminology in foreign languages in order that they may be readily accessible in the English language to those interested in the various subjects, and has completed arrangements for the publication of the nine leading works

in the field representing the various subjects and carefully distributed among the principal nations which have contributed to the solution of these problems. They are being published as a criminal science series by Little Brown and Company of Boston and four of the volumes have already appeared.

Committee on Criminal Statistics.

This committee was created for the purpose of formulating a system for the keeping of criminal judicial records, and for the reporting of such statistics which might be recommended to the several states and to the Congress of the United States for their consideration and adoption.

Committee on State Societies and New Membership.

The object of this committee is to stimulate interest in the organization of State Societies and to devise means of increasing the membership; also to add to the list of those persons who have taken special interest in the study of Criminal Law and Criminology.

Committee on Finance and Endowment.

The object of this committee shall be to advise the officers of the Institute with reference to any financial questions upon which they may desire to have its judgment and to forward in every way possible the securing of an adequate endowment for the carrying on of the work of the Institute and for the promotion of the ideas for which it stands.

Under the auspices of the Institute there are now being translated and published in English the following leading treatises on criminal science:

Modern Theories of Criminality by C. Bernaldo de Quirós, of Madrid.

Criminal Psychology, by Hans Gross, Professor of Criminal Law, University of Graz.

Crime, Its Causes and Remedies, by Cesare Lombroso, Late Professor of Psychiatry and Legal Medicine, University of Turin.

The Individualization of Punishment, by Raymond Saleilles, Professor of Comparative Law, University of Paris.

Criminal Sociology, by Enrico Ferri, Professor of Criminal Law and Procedure, University of Rome.

Penal Philosophy, by Gabriel Tarde, Professor of Modern Philosophy, College of France.

Criminology and Economic Conditions, by W. A. Bonger, Doctor in Law, University of Amsterdam.

Criminology, by Raffaele Garofalo, Former President, Court of Appeals of Naples.

Crime and Its Repression, by Gustav Aschaffenburg, Professor of Psychiatry, Academy of Practical Medicine at Cologne.

The official organ of the Institute is the *JOURNAL OF CRIMINAL LAW AND CRIMINOLOGY*. It is issued bi-monthly and is now in its third volume. Its aim is to arouse and extend a wider interest in the study of all questions relating to the administration of the criminal law, including the causes and prevention of crime, methods of criminal procedure and the treatment of criminals; to provide a common medium for recording the results of the best scientific thought and professional practice in this and foreign countries concerning the larger problems of criminal science; to consider the present state of the criminal law in every branch, and to bring to the attention of all who are interested the evidences of progress in legislation and administration so far as it relates to the detection and punishment of crime, criminal procedure, and the punishment of offenders. It advocates the introduction of such reforms in existing penal methods as experience and reason have shown to be desirable, to the end that a more effective, speedy and inexpensive system of criminal justice may be secured, more modern and effective methods of dealing with criminals may be introduced, and the causes of the present widespread and increasing popular dissatisfaction with the administration of the criminal law may be removed. The *JOURNAL* encourages and advocates legislation looking toward the collection and publication of more systematic statistical and descriptive information relating to the causes, nature and punishment of crime, including judicial statistics showing the efficiency of those agencies and instrumentalities charged with the detection and punishment of crime. It also furnishes reviews of recent and current scientific literature in English jurisprudence and penal methods, together with bibliographical and miscellaneous notes of interest to students of the criminal law, criminology and the allied sciences.

Three conferences have been held since the organization: in Washington, D. C., 1910; in Boston, 1911; in Milwaukee, 1912. Since 1910 the annual conferences are held at the same time and place as the meetings of the American Bar Association, and the Institute has become an affiliated organization of that Association. At the Milwaukee conference the program included the following matters: an address of welcome by Hon. Francis E. McGovern, Governor of Wisconsin, in which he discussed the question of prison labor; the annual address by the President of the Institute, Chief Justice John

B. Winslow, of the Wisconsin Supreme Court; an address by Supt. Frank L. Randall, of the Minnesota State Reformatory, on the treatment and care of convicted persons. There were committee reports on the subjects indicated in the list of committees mentioned above, and a general discussion of these reports. As the Wisconsin Branch of the Institute held its meeting with the Institute this year a number of subjects which that Branch has under consideration were also presented, such as sterilization of criminals and defectives, incriminating testimony, abuse of affidavits of prejudice, securing testimony of non-residents, and the form of sentence for persons to be sent to the reformatory and penal institutions.

The work of the Institute is supplemented by State Societies organized to consider primarily the problems of crime and criminology in their respective localities. There are, at present, State Societies in Massachusetts, Pennsylvania, New York, Illinois, Kansas, Minnesota, and Wisconsin. Some of these organizations have been very active in carrying on a scientific study of crime, its causes and remedies, with reference to their respective states.

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